

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CL

FASTENETIX, LLC,

Plaintiff,

vs.

MEDTRONIC SOFAMOR DANEK,
INC., an Indiana corporation,
MEDTRONIC SOFAMOR DANEK
USA, INC., a Tennessee corporation,
And DOES 1 through 10,

Defendants.

Case No. 06-2070 (SRC) (MAS)

STIPULATION AND ORDER OF DISMISSAL

This matter having been opened to the Court on the joint application of Sonnenschein, Nath & Rosenthal LLP (Michael G. Gugig and James A. Klenk appearing), counsel for Fastenetix, LLC, and Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein (Dennis F. Gleason appearing) and Dewey & LeBoeuf LLP (Dirk D. Thomas and Robert A. Auchter appearing), counsel for Medtronic Sofamor Danek, Inc. and Medtronic Sofamor Danek USA, Inc. (collectively "Medtronic"), and the parties having advised the Court that the dispute has been resolved; and the parties having stipulated to dismissal of the action with prejudice

pursuant to Fed. R. Civ. P. 41(a)(1)(ii) with each side to bear its own costs and attorneys' fees;

It is on this ____ day of September, 2008, ORDERED

1. All claims by all parties are dismissed with prejudice, without costs and with each party responsible for its attorneys' fees.
2. The Court retains jurisdiction to enforce settlement of this matter.

Dated: September ____, 2008

Respectfully submitted,

By: 

Dennis F. Gleason
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Attorneys for MEDTRONIC
SOFAMOR DANEK, INC. and
MEDTRONIC SOFAMOR
DANEK, USA INC.

Hon. Stanley R. Chesler, U.S.D.J.

By: 

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Attorneys for FASTENETIX,
LLC

pursuant to Fed. R. Civ. P. 41(a)(1)(ii) with each side to bear its own costs and attorneys' fees;

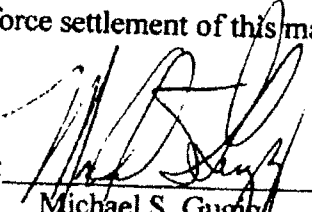
It is on this 29th day of September, 2008, ORDERED

1. All claims by all parties are dismissed with prejudice, without costs and with each party responsible for its attorneys' fees.
2. The Court retains jurisdiction to enforce settlement of this matter.

By: _____
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Dated: September 29th, 2008


Hon. Stanley R. Chesler, U.S.D.J.